

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

JOHNNY M. HUNT,

Plaintiff,

v.

SOUTHERN BAPTIST CONVENTION;
GUIDEPOST SOLUTIONS LLC; and
EXECUTIVE COMMITTEE OF THE
SOUTHERN BAPTIST CONVENTION

Defendants.

Case No. 3:23-cv-00243

Judge Campbell
Magistrate Judge Frensley

JURY DEMAND

NON-PARTY JANE DOE'S MOTION FOR PROTECTIVE ORDER

Pursuant to Federal Rules of Civil Procedure 26(c) and 45(d)(3), non-party in the above civil action and sexual abuse survivor appearing under the pseudonym "Jane Doe" (pursuant to a contemporaneously filed Motion to Proceed Pseudonymously and to Redact References to Her Name and Identifying Information in Public Filings ("Motion to Proceed Pseudonymously")), respectfully moves this Court for a protective order regarding a subpoena and notice of deposition to Jane Doe.

Specifically, Jane Doe requests that this court order reasonable protections for her deposition testimony in order to protect her from annoyance, embarrassment, oppression, or undue burden or expense by specifying the following terms for her deposition, some of which are unopposed:

1. Deposition to take place in Orlando, support personnel such as court reporter and/or videographer be female, and Second Amended Agreed Protective Order (ECF Doc. No. 153) controlling (unopposed).

2. Deposition date of either May 7, May 8, May 21, or May 22 (May 7, 8, 21, and 22 are amenable to all parties except Plaintiff; Plaintiff opposes delay beyond discovery deadline for fact witnesses, possibly agreeing to May 21 if the court agrees).
3. Plaintiff Hunt not being present for Jane Doe's deposition (opposed by Plaintiff).
4. Each Defendant and Plaintiff limited to one individual per party and one attorney per party at the deposition (with the exception of Plaintiff Hunt not being present) (opposed by Plaintiff).
5. Total deposition time limit of three hours, divided into two hours collectively for all three Defendants and one hour for Plaintiff (opposed by Plaintiff who proposes four-hour deposition with two hours for Defendants and two hours for Plaintiff).
6. Deposition transcript designated as Highly Confidential – Attorney's Eyes Only under the Second Amended Agreed Protective Order (ECF Doc. No. 153) (opposed by Plaintiff).
7. Deposition video recording designated as Highly Confidential – Attorneys' Eyes Only under the Second Amended Agreed Protective Order (ECF Doc. No. 153) and maintained in the custody of the Court or Jane Doe's counsel until such time as the Court authorizes release to the parties as the Court deems appropriate in anticipation of trial (opposed by Plaintiff).
8. Costs of Jane Doe and her counsel to comply with the subpoena/notice, obtain protective orders, and appear for the deposition to be shifted to the noticing party, Defendant Guidepost, to Plaintiff, and/or any other party or in proportions as the Court deems appropriate.

In support of this motion, Jane Doe relies on the following:

1. Notice of Subpoena and Subpoena to Testify at a Deposition in a Civil Action (“Deposition Subpoena”), Notice of Deposition dated January 17, 2024 (“First Notice”), and Notice of Deposition dated April 2, 2024 (“Second Notice”), served on Jane Doe (attached as Exhibits 1, 2, and 5 respectively to the Declaration of Melissa J. Hogan;
2. Declaration of Melissa J. Hogan and the exhibits thereto; and
3. A memorandum of law filed contemporaneously with this Motion.

Pursuant to Local Rule 37.01(a), counsel for Jane Doe has conferred with counsel for each of the Defendants and counsel for the Plaintiff about this motion. Defendants have communicated that they do not oppose Jane Doe’s positions in this motion except for no agreement on the cost shifting. Plaintiff has communicated that he opposes all positions contained herein with the exception of location, female court reporter / videographer, and the applicability of the Second Amended Agreed Protective Order.

Dated: April 9, 2024

Respectfully submitted,

s/ Melissa J. Hogan

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CERTIFICATE OF SERVICE

The undersigned certifies that on **April 9, 2024**, I electronically filed a true and correct copy of the foregoing with the Clerk of Court for the U.S. District Court Middle District of Tennessee through the Court's Electronic Case Filing System, which will automatically serve all counsel of record listed below:

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